HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No. 10463 of 2004

DATE: 14-12-2007

Between:

1. **Murikipudi Srisaila Mallikharjuna Vara Prasad**

……. Petitioner

and

1. **The Deputy Commissioner of Endowments, Guntur, Guntur District.**

……. Respondents

THE HON'BE Dr. JUSTICE G. YETHIRAJULU

W.P.No. 10463 of 2004

ORDER:

This writ petition is filed by the petitioner seeking to declare the action of the second respondent in not implementing the orders of the first respondent passed in Rc.No.A2/7030/02-Admn, dated 25-04-2003 as bad, illegal and arbitrary.

The order, dated 25-04-2003 was passed by the Deputy Commissioner, Endowments Department, Guntur, directing the Founder Trustee of the subject temple to allow the writ petitioner to render archakatvam service in the temple until his date of retirement on superannuation and handover the service inam land to him immediately which was taken possession from him previously and given to his son and report compliance.

The said order was not complied. During the pendency of the said matter, the Deputy Commissioner, Endowments Department, Guntur, passed another order on 21-02-2004 directing the Founder Trustee of the sub temple to instruct the writ petitioner and his son to render archakatvam service jointly until implementation of cadre strength orders duly informing them that this arrangement is purely temporary until implementation of cadre strength in the temple.

The order, dated 21-02-2004 passed by the same authority superceded the order passed on 25-04-2003, therefore, there was no existence of the order, dated 25-04-2003 as on the date of filing of the writ petition and the implementation of the said order does not arise. Hence, the writ petition has become infructuous.

In the result, the writ petition is dismissed as infructuous. However, the petitioner is at liberty to take further steps for the implementation of the order, dated 21-02-2004 according to law. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 14-12-2007

YCR